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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,452	03/02/2005	Andreas Zahnd	71190	3135
23872	7590	03/27/2006	EXAMINER	
MCGLEW & TUTTLE, PC P.O. BOX 9227 SCARBOROUGH STATION SCARBOROUGH, NY 10510-9227			EVANISKO, LESLIE J	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/526,452	ZAHND ET AL.	
	Examiner	Art Unit	
	Leslie J. Evanisko	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-13, 15, 16 and 20-30 is/are rejected.
- 7) ☒ Claim(s) 8-10, 14 and 17-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03-02-2005</u> | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6) <input checked="" type="checkbox"/> Other: <u>marked-up copy of Fig 5 from US 3,362,327 + Fig 5 from US 2,900,904</u> |
|--|--|

dc
3/16/05

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plurality of packings arranged axially next to one another as recited in claim 28 and the plurality of separate clamping bodies arranged in the channel as recited in claim 30 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: the axis of rotation D_z , as described on page 12, line 15 and page 13, line 2.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: On page 8, line 13, it appears the term “registrant” should be deleted and replaced with --resistant-- to correct an obvious typographical error. On page 13, line 13, it appears the term “forms” should be deleted and replaced with the phrase --is formed by-- since it appears

that this language is more accurate since it appears that the channel wall 5 is formed by a filler 8, as shown in the Figures.

Appropriate correction is required.

Claim Objections

5. Claims 1-30 are objected to because of the following informalities:

With respect to claim 1, in line 1, it is suggested that the term “a flexible packing” be deleted and replaced with --at least one flexible packing-- since claim 28 later recites a plurality of packings. Additionally in claim 1, the term “said clamping channel” in line 4 has no proper antecedent basis since only an axial channel was previously recited. To correct this problem, it is suggested the term “clamping” be deleted and replaced with --axial-- to use consistent terminology throughout the claims. Similarly, it is suggested that the term --axial-- be inserted before “channel” in line 6. Additionally, the term “said opening” in line 6 has no proper antecedent basis since no opening was previously recited. In line 7, the term “two said channel walls” has no proper antecedent basis since no channel walls were previously recited.

With respect to claim 5, the term “at least” in line 1 is unclear in meaning.

With respect to claims 7 and 16, the phrase “is elastic in its material” in line 2 of each claim is somewhat awkward and it is suggested that this language be deleted and replaced with language such as: --is comprised of elastic material--. Note a similar change should be made to the language in claims 19 and 20.

With respect to claim 12, it is suggested that the term “a” in line 2 be deleted and replaced with --an-- to use the appropriate article before the term “elastic”.

With respect to claim 14, the term “said support feet” has no proper antecedent basis since no support feet have been previously recited in the claims. Additionally, the term “its” and “it” (both occurrences) in line 3 are somewhat unclear as to which structure “it” is intending to be referring. To correct this problem and insure there is no confusion in the claim language, it is suggested that the term “its” and “it” be deleted and replaced with the actual structure to which it is referring.

With respect to claim 15, the scope of claim 15 is somewhat confusing since it appears to be modifying claim 1 rather than further limiting it. In particular, claim 1 previously recited that at least one of the clamping body and the opposite surfaces of the clamping channel form the spring and claim 15 instead recites that an insert in the channel wall or a coating on the channel wall form the spring.

With respect to claim 20, the term “said filler” in line 3 has no proper antecedent basis since the filler was only previously recited in claim 2 and claim 20 depends upon claim 1. Additionally in line 4, the terms “said limiting edges” and “said opening” do not have proper antecedent basis. Also in line 4, it is suggested that the term --axial-- be inserted before “channel” to use consistent terminology throughout the claims. In line 5 of claim 20, the term “a” (first occurrence) should be deleted and replaced with --an-- to use the appropriate article before the term “insert”.

With respect to claim 21, line 2, the term “said opening” has no proper antecedent basis and it is suggested that the term --axial-- be inserted before “channel” to use consistent terminology. In claim 21, lines 3, 4, and 5-7, the term “said limiting edges” has no proper antecedent basis. In claim 21, line 10, the term “said direction of

rotation” has no proper antecedent basis since no direction of rotation was previously recited in claim 1.

With respect to claims 22-24, the term “said axis of rotation” in each claim has no proper antecedent basis since no axis of rotation was previously recited in claim 1.

With respect to claim 25, the term “it” in line 3 is somewhat unclear as to which structural element it is intended to be referring. To correct this problem, it is suggested that the term “it” be deleted and replaced with the actual structural element it is referring to.

With respect to claim 26, the term “the round surface” has no proper antecedent basis since the round surface was previously recited in claim 25 and claim 26 is dependent upon claim 1.

With respect to claims 29 and 30, in line 3, it is suggested that the term --axial-- be inserted before “channel” to use consistent terminology throughout the claims.

Appropriate correction and/or clarification is required.

6. Claims 4-5 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In particular, claims 4 and 5 are improper dependent claims in that each fails to provide any additional structural recitation to further limit the parent claim and is instead merely a functional recitation of a desired mode of operation.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-7, 11-13, 21, 24, 25, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Burger et al. (US 4,376,414). Burger et al. teach a clamping device for clamping a flexible packing 2 of a cylinder 1 of a printing press, which cylinder has an axial channel 3 on a jacket surface 7, the clamping device comprising a clamping body 16, 11", 15 which forms a clamping gap in the axial channel with a first opposite surface 5 for at least one end 8, 9 of the packing, which end protrudes through the opening of the axial channel; two channel walls 4, 6, which face the first opposite surface 5, and which form the second opposite surface 4 and third opposite surface 6, on which the clamping body 16, 11', 11", 15 is supported, touching the opposite surfaces; wherein at least one of the clamping body and opposite surfaces form a spring and the force of elasticity of the spring tensions the clamping body and the first opposite surface 5 towards each other in order to clamp the at least one end 8, 9 of the packing with the packing pulled in. See, in particular, the embodiments shown in Figures 2-3 and described in column 3, line 64 through column 4, line 24.

With respect to claim 2, note the opposite surfaces 4, 5, 6 of Burger et al. are formed on the cylinder 1.

With respect to claim 3, note the opposite surfaces 4, 5, 6 of Burger et al. form support points for the clamping body which are distributed around the circumference of the clamping body, wherein two adjacent support points each have an angular distance of less than 180° , as shown in Figures 2-3 in particular.

With respect to claims 4-5, to the extent these claims are proper dependent claims, note the device of Burger et al. is capable of operating as recited. See, in particular, column 4, lines 55-68 of Burger et al.

With respect to claims 6, 7 and 11, note the clamping body 16, 11', 11'', 15 forms the spring and can broadly be considered to be both elastic in its material and due to its shape.

With respect to claims 12 and 13, note the clamping body as shown in Figures 2 and 3 forms an open elastic arc (particularly by springs 11' or 11'') and forms the clamping gap with the arc. Furthermore, note the arc extends over at least two 4, 5 of the opposite surfaces and is elastically tensioned to at least two of the opposite surfaces.

With respect to claim 21, note the opening of the channel 3 is limited by two limiting edges in the circumferential direction of the cylinder; the axial channel widens from the limiting edges in both circumferential directions of the cylinder and a channel wall 5 extending up to one of the limiting edges forms the first opposite surface, a channel wall 4 extending up to the other of the limiting edges forms the second opposite surface, so that the at least one packing can be clamped between the clamping body and either the first or second opposite surface depending on the direction of rotation of the cylinder.

With respect to claim 24, note the surface 5 of Burger et al. forms a “guide path” along which the clamping body can slide in a vertical direction (for example, through application of the clamping spring force from spring 15).

With respect to claim 25, note the clamping body of Burger et al. includes a round surface, as shown in Figures 2-3 in particular.

With respect to claim 29, note Burger et al. teach only one clamping body arranged in the channel in column 3, lines 8-13.

9. Claims 1-3, 15-16, 20, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Hantscho (US 2,900,904). Hantscho teaches a clamping device for clamping a flexible packing P of a cylinder 20 of a printing press, which cylinder has an axial channel 43 on a jacket surface, the clamping device comprising a clamping body 44 which forms a clamping gap in the axial channel with a first opposite surface (face defined by edge 38) for at least one end 41, 42 of the packing P, which end protrudes through the opening 40 of the axial channel 43; two channel walls (as illustrated in marked-up copy of Figure 5 attached to this Office Action) which face the first opposite surface, and which form the second opposite surface and third opposite surface, on which the clamping body 44 is supported, touching the opposite surfaces; wherein at least one of the clamping body 44 and opposite surfaces form a spring and the force of elasticity of the spring tensions the clamping body and the first opposite surface towards each other in order to clamp the at least one end 41, 42 of the packing P with the packing pulled in. See, in particular, Figures 4-8 and the marked-up copy of Figure 5 attached to this Office Action.

With respect to claim 2, note the opposite surfaces of Hantscho are formed on a filler 34 immovably bound in the cylinder 20.

With respect to claim 3, note the opposite surfaces of Hantscho form support points for the clamping body which are distributed around the circumference of the clamping body, wherein two adjacent support points each have an angular distance of less than 180°, as shown in Figures 5 and 8 in particular.

With respect to claims 15-16, note Hantscho teaches an insert 45 (i.e., spring plungers) inserted into a channel wall limiting the channel 43 forms the spring, as described in column 2, lines 64-65. Note this insert is a spring member, and spring members would inherently be comprised of elastic material to some extent.

With respect to claim 20, note Hantscho teaches a recess 21 which is formed on the jacket surface of the cylinder and at least one filler 34 inserted into the recess form the channel 43 and limiting edges 38, 39 of the opening 40 of the channel 43, the filler 34 being provided with an insert 45 that is elastic in its material.

With respect to claim 27, note Hantscho teaches the clamping body 44 is rotatable in the channel in column 3, lines 15-16.

10. Claims 1-3, 15-16, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Luehrs (US 3,362,327). Luehrs teaches a clamping device for clamping a flexible packing 10, 11 of a cylinder 1 of a printing press, which cylinder has an axial channel 2 on a jacket surface, the clamping device comprising a clamping body 4, 5, 6, 7, which forms a clamping gap in the axial channel 2 with a first opposite surface (defined by wall 8) for at least one end of the packing 10, 11, which end protrudes through the opening of

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the axial channel 2; two channel walls (as illustrated in marked-up copy of Figure 5 attached to this Office Action) which face the first opposite surface, and which form the second opposite surface and third opposite surface, on which the clamping body 4, 5, 6, 7 is supported, touching the opposite surfaces; wherein at least one of the clamping body 4, 5, 6, 7 and opposite surfaces form a spring and the force of elasticity of the spring tensions the clamping body and the first opposite surface towards each other in order to clamp the at least one end of the packing 10, 11 with the packing pulled in. See, in particular, Figures 1b and 3-6 and the marked-up copy of Figure 5 attached to this Office Action.

With respect to claim 2, note the opposite surfaces of Luehrs are formed both on the cylinder 1 and a filler 3 immovably bound in the cylinder 1.

With respect to claim 3, note the opposite surfaces of Luehrs form support points for the clamping body which are distributed around the circumference of the clamping body, wherein two adjacent support points each have an angular distance of less than 180°, as shown in Figures 5 and 6 in particular.

With respect to claims 15-16, note Luehrs teaches an insert 9a, 9 (i.e., springs) inserted into a channel wall limiting the channel 2 forms the spring, as described in column 2, lines 23-30. Note this insert is a spring member, and spring members would inherently be comprised of elastic material to some extent.

With respect to claim 28, note Luehrs teaches a plurality of packings 10, 11 are tensioned on the cylinder 1 arranged axially next to one another, and not more than one clamping body 4, 5, 6, 7 per packing is provided. See Figure 1b in particular.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 22-23, 26, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burger et al. (US 4,376,414). Burger et al. teach a clamping device as recited with the possible exception of the opposite surfaces pointing at the particular angular value to a radial extending through the channel opening toward the axis of rotation of the cylinder. Note Burger et al. teach the walls of the groove converge, i.e., they extend from a wider bottom towards each other to form an acute angle with a tangent to the surface of the cylinder in column 2, lines 36-40. It is noted that this arrangement of the opposite surfaces in Burger et al. is extremely similar to the arrangement disclosed by applicant as shown in the Figures. Although Burger et al. is silent with respect to the specific details of the angular relationship and whether the first and second opposite surfaces form an angle of at least 30° toward a radial extending through the channel opening toward the axis of rotation of the cylinder, it would appear that the opposite surfaces of Burger et al. would meet (or come very close to) that relationship. Regardless, the selection of the optimum angle at which the opposite surfaces are disposed could easily be determined through obvious routine experimentation. Therefore, it would have been obvious to one of ordinary skill in the art to provide the opposite surfaces with the optimum angular relationship to provide a

geometry for the cylinder channel that provides optimum securement of the packing ends while minimizing the width of the cylinder channel.

With respect to claim 26, again note that although Burger et al. is silent with respect to the exact radius of curvature of the round surface of the clamping body, the selection of the optimum radius of curvature of the round surface of the clamping body could easily be determined through obvious routine experimentation. Therefore, it would have been obvious to one of ordinary skill in the art to provide the clamping body to have a round surface with the optimum radius of curvature so as to provide optimum securement of the packing ends inserted into the channel.

With respect to claim 30, note that although Burger et al. only teaches one clamping body provided in the channel, the broad provision of a plurality of known devices is an obvious mechanical expedient. Therefore, it would have been obvious to one of ordinary skill in the art to provide a plurality of clamping bodies in the axial channel to allow for better securement of multiple packings arranged along the cylinder.

Allowable Subject Matter

13. Claims 8-10, 14, and 17-19 are objected to for the reasons set forth above, as well as for being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner and in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 8-10 in particular, the prior art of record fails to teach or fairly suggest a clamping device having all of the structure as recited, in combination with and particularly including, the clamping body being a composite material with a core made of core material and with a coating made of an elastically nonrigid coating material, which is connected to the core and has a lower specific gravity than the core material and which can be caused to perform an inward spring deflection by the thickness of the at least one end of the packing.

With respect to claim 14 in particular, the prior art of record fails to teach or fairly suggest a clamping device having all of the structure as recited, in combination with and particularly including, the arc having two ends and forming support feet at the two ends, the arc being arranged in the channel such that the two ends support the arc in the channel and elastically tension the arc in the channel.

With respect to claim 17 in particular, the prior art of record fails to teach or fairly suggest a clamping device having all of the structure as recited, in combination with and particularly including, an elastic insert inserted into a channel wall and having a Shore hardness of 70 Shore \pm 10 Shore.

With respect to claim 18 in particular, the prior art of record fails to teach or fairly suggest a clamping device having all of the structure as recited, in combination with and particularly including, the insert or coating being provided with a wear-resistant surface on a side facing the clamping body.

With respect to claim 19 in particular, the prior art of record fails to teach or fairly suggest a clamping device having all of the structure as recited, in combination

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with and particularly including, at least two of said opposite surfaces being formed by an insert or coating that is elastic in its material.

Conclusion

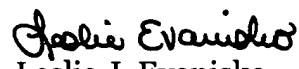
15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ramsay (US 5,553,544), Walschlaeger, Sr. (US 5,485,784), Bleckmann et al. (US 4,515,375), De Bie (US 3,036,354), and Bertrand (FR 2 598 972 A1) each teach a clamping device having obvious similarities to the claimed subject matter.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
March 16, 2006

Jan. 9, 1968

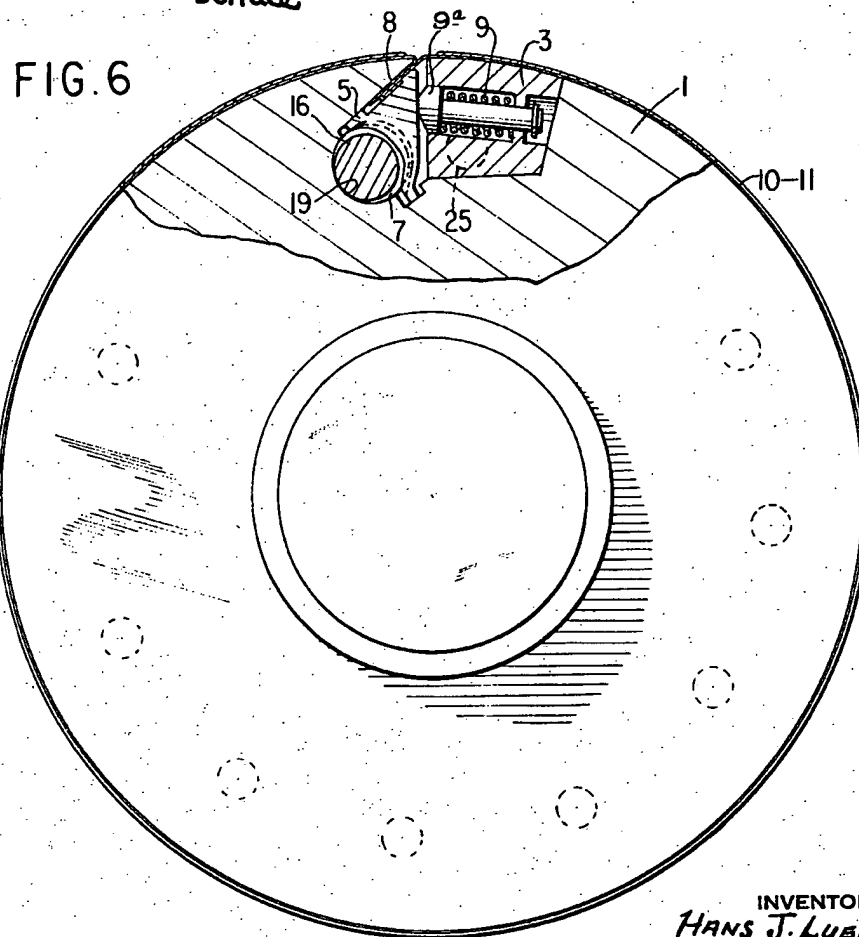
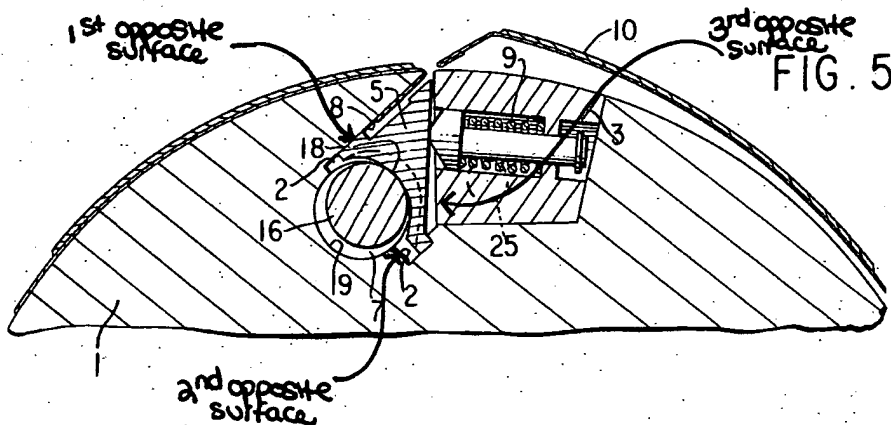
H. J. LUEHRS

3,362,327

CYLINDER LOCKUP FOR WRAP-AROUND PLATES AND BLANKETS

Filed Jan. 28, 1965

4 Sheets-Sheet 4



INVENTOR
HANS J. LUEHRS
BY
E. Edward Stevens
HIS ATTORNEY

Aug. 25, 1959

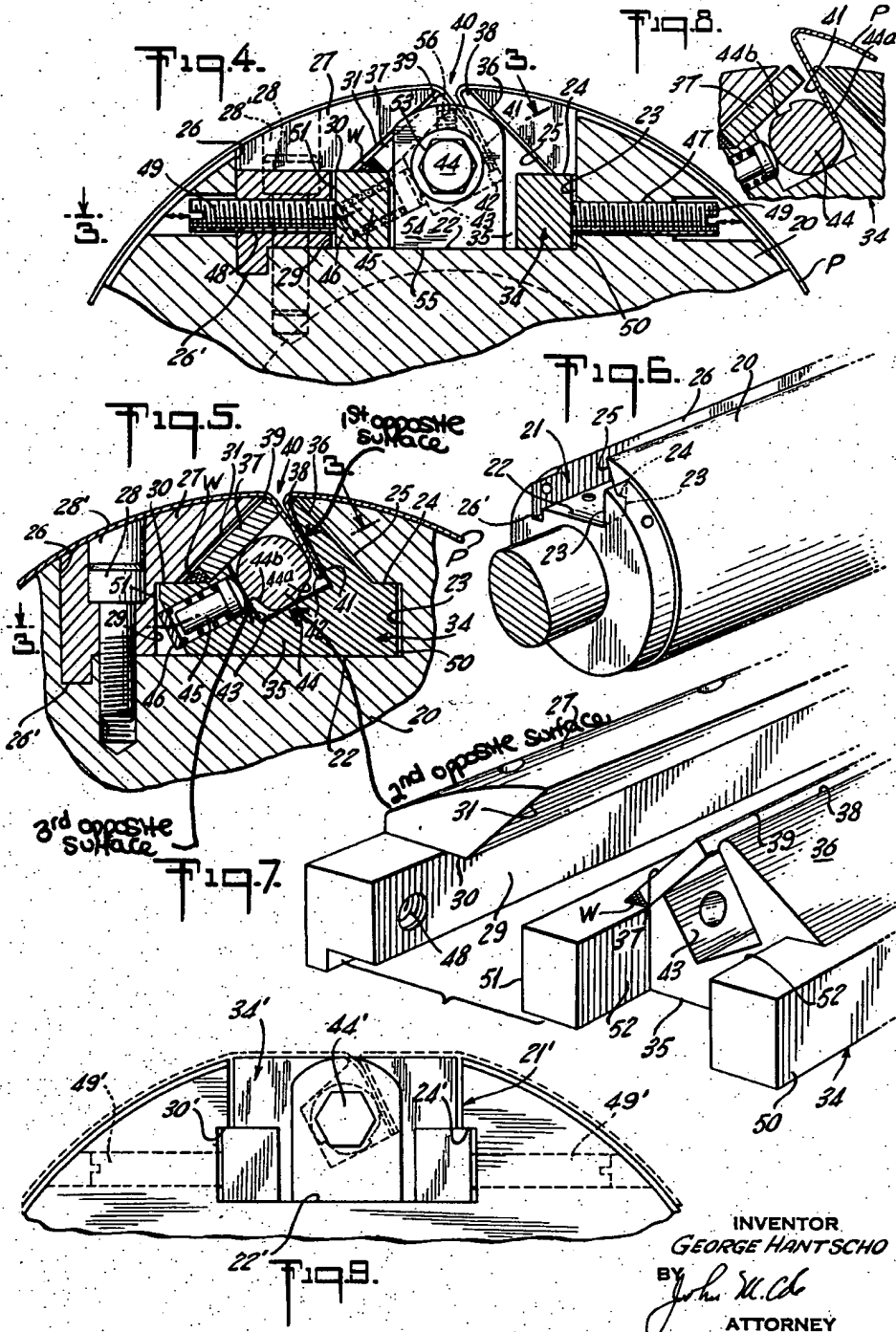
G. HANTSCHO

2,900,904

PRINTING PRESS ROLLERS

Filed June 8, 1953

2 Sheets-Sheet 2



INVENTOR
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BY *John W. Lee*
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